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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/805,991	03/15/2001	Kiyomi Sakamoto	2001_0308A	3734

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WENDEROTH, LIND & PONACK, L.L.P.
2033 K STREET N. W.
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EXAMINER

PRENDERGAST, ROBERTA D

ART UNIT	PAPER NUMBER
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2628

MAIL DATE	DELIVERY MODE
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12/27/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/805,991

Applicant(s)

SAKAMOTO ET AL.

Examiner

Roberta Prendergast

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20,40,70 and 72 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20,40,70 and 72 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Double Patenting

Examiner acknowledges the amendment canceling claims 15, 16, 35, 36, 45 and 52, filed 10/2/2007, and therefore the double patenting rejection of claims 15, 16, 35, 36, 45 and 52 is hereby withdrawn.

Allowable Subject Matter

The indicated allowability of claims 20, 40, 70 and 72 is withdrawn in view of the newly discovered reference(s) to Okude et al. in view of Treyz et al. U.S. Patent No. 6526335 and Sehr U.S. Patent No. 6085976. Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 70 and 72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okude et al. U.S. Patent No. 6175802 in view of Treyz et al. U.S. Patent No. 6526335.

Referring to claim 70, Okude et al. teaches a map display method and device for converting externally provided communications information into an applicable object model for arrangement on a map image, said map display device comprising: an input part for receiving an instruction from a user (Fig. 1 (elements 1-4 & 1-5); column 4, lines 62-67); a map data storage part for storing map data (Fig. 1 (element 1-3); column 4, lines 53-61); an object model display information storage part for storing object model display information for displaying at least one object model having a shape which allows the user to understand content of the communications information on the map image (Fig. 5 (elements 3-7, data read unit) & 19 (elements 19-1 & 19-2); column 7, lines 26-37); a communications part for receiving the communications information, the communications information including information which varies in real time (Fig. 1 (elements 1-7 thru 1-11) & 5 (element 3-5), i.e. the current location detection unit indicates information which varies in real time; column 5, lines 1-15); a map data arranging part for creating the at least one object model by interpreting the

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communications information and the object model display information provided by said object model display information storage part and arranging the at least one object model at a position on the map image based on the communications information (Figs. 1 (element 1-1), 3, 5 & 19; columns 5-6, lines 50-19; columns 6-7, lines 55-8, i.e. the operation and processing unit is understood to be the map data arranging unit); and a display part for displaying a result map image including the map image and the at least one object model obtained by said map data arranging part (Figs. 1 (element 1-2) & 24 (element 24-5); column 4, lines 45-53) but does not specifically teach wherein the communications information includes information specifying at least one faregate to be passed through, and transmitting charge information for processing if a predetermined condition is satisfied; said map data arranging part generating the charge information if the predetermined condition is satisfied; a ticket information storage part for storing ticket information corresponding to a ticket used for paying a fare for a predetermined chargeable section, wherein said map data arranging part generates the ticket information stored in said ticket information storage part when the ticket is purchased, and said map data arranging part changes the communications information based on the ticket information.

Treyz et al. teaches an input part for receiving an instruction from a user (Figs. 3 (elements 126, 128 and 130), 7(element 250), 8 and 10; column 14, lines 34-56, i.e. a user inputs an instruction via the input devices such as a keypad, pointing devices, game controller and touch screen); a communications part for receiving the communications information, the communications information including information

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specifying at least one faregate to be passed through, and transmitting charge information for processing if a predetermined condition is satisfied (Figs. 1(elements 22 and 32), 2 54-55 and 58; column 10, lines 35-63; column 48, lines 37-66; column 48-49, lines 66-4; column 54, lines 30-67, i.e. a communications input receives the information specifying at least one faregate, such as an entrance/exit gate to a parking garage or tollgate, and when a predetermined condition is satisfied, such as the user being authorized to enter the facility and approaching the exit gate, charge information is generated and transmitted for processing); a display part for displaying a result map image including the map image and the at least one object model obtained by said map data arranging part (Figs. 3 (elements 88-96), 6-10 and 49; column 14, lines 18-67, i.e. mapping data is received at the user's computer and a graphical display depicting a map that show's the mobile units location relative to the destination is displayed and additional information, such as the charges being debited to the user's account are displayed); wherein said map data arranging part generates the ticket information stored in said ticket information storage part when the ticket is purchased, and said map data arranging part changes the communications information based on the ticket information (Figs. 3 (elements 88-96), 6-10 and 49; column 12, lines 5-20; column 48, lines 37-66; column 48-49, lines 66-4; column 50, lines 40-64; column 54, lines 30-67, i.e. a communications input receives the information specifying at least one faregate, such as an entrance/exit gate to a parking garage or tollgate, and when a predetermined condition is satisfied, such as the user being authorized to enter the facility and approaching the exit gate or tollgate, ticket information is generated and stored when

the ticket is purchased such that the communications information is changed to include and the map data arranging part displays the ticket information, such as the total amount due or debited, duration of stay, and/or status of the account).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the map display device of Okude et al. to include the teachings of Treyz et al. thereby allowing the user to purchase products using voice commands or by interacting with displays in the automobile such that location information and other information particular to the user may be used to target promotions to the user and further allowing the user to obtain driving directions, receive e-mail notifications, stock quotes, traffic information and to make remote purchase transactions with merchants (Treyz et al.: Abstract; column 1, lines 9-17 and 25-37; column 2, lines 15-24, 37-44 and 52-66).

Referring to claim 72, the rationale for claim 70 is incorporated herein, Okude et al., as modified above, teaches all of the elements recited in claim 70 above and further teaches a route selection part for selecting a route to the destination based on the instruction provided by said input part, the current position detected by said position detection part, and the map data stored in said map data storage part (Okude et al.: Figs. 1 (elements 1-2, 1-3 and 1-7 through 1-11); 3 (elements 3-2, 3-3, 3-4 and 3-5); column 5, lines 1-21; columns 5-6, lines 51-3; column 6, lines 25-55, i.e. a user requests route guidance to a destination and the route selection/calculation part determines a route to be taken based on traffic conditions, the users current position and the stored map data; Treyz et al.: Fig. 27; column 2, lines 15-30, i.e. location sensitive directions

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are provided to the user indicating that route selection has been performed); and a guiding part for providing the guidance to the destination in response to the communications information received by said communications part, the route selected by said route selection part, the current position detected by said position detection part, and the map data provided by said map data storage part, and outputting a resultant map image including the map image and the at least one object model obtained by said map data arranging part (Okude et al.: Figs. 4, 5 and 23A-24; column 1, lines 8-17; column 2, lines 6-24; column 5, lines 1-21; columns 5-6, lines 51-3; column 6, lines 25-55, i.e. a user requests route guidance to a destination and the route selection/calculation part determines a route to be taken based on traffic conditions, the users current position and the stored map data and then provides a map having a mark indicating the direction in which the user should be directed and vocal commands indicating whether or not to go straight or turn left/right a predetermined period of time before the vehicle/user passes through an intersection; Treyz et al.: Fig. 27; column 2, lines 15-30, i.e. location sensitive directions are provided to the user indicating that guidance to a destination is being provided).

The rationale for combining Okude et al. with the teachings of Tereyz et al. as found in the motivation statement of claim 70 is incorporated herein.

Claims 20 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okude et al. in view of Treyz et al. as applied to claims 70 and 72 above, and further in view of Sehr U.S. Patent No. 6085976.

Referring to claim 20, the rationale for claim 70 is incorporated herein, Okude et al., as modified above, teaches all of the elements recited in claim 70 above but does not specifically teach wherein the ticket information includes information about an expiration date of the ticket, and said map data arranging part refers to the information about the expiration date of the ticket, and if the expiration date is approaching, creates a message for display on said display part.

Sehr teaches this limitation (column 23, lines 43-53; column 24, lines 16-2937-53, i.e. ticket information including the expiration and effective date for a ticket is stored and ticket information is used to determine irregularities, such as obsolete date, and if irregularities occurred an appropriate warning message is conveyed to the user, it is understood that an obsolete date is an expired date). Although Sehr does not teach creating a message for display if an expiration date is approaching, it would be obvious to one having ordinary skill in the art at the time of invention to include creating a message for display to indicate an approaching expiration date thus providing a reminder to the user indicating an upcoming trip or, in the case of a multi-ride bus ticket that covers a specific timeline (i.e. a weekly, monthly or from a first date to a second date ticket such as for a bus or train), a reminder to purchase a new ticket.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the map display device of Okude et al. to

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include the teachings of Treyz et al. and Sehr thereby lowering administrative costs as less personnel are needed as compared to controlling and following-up on paper-based documents or printed media, using fewer resources and telecommunications costs required to collect and clear electronic payments as compared to cash, check, or plastic-based payments, improving the quality of service by achieving faster boarding or improved throughput at the point-of-service location, providing more service or product selections to choose from, and rendering services from remote locations as well as the convenience of using one device for navigation, route guidance, transportation, card-based payment means, and for other travel-related applications and services (Sehr: column 2, lines 15-25, 40-52 and 63-67).

Referring to claim 40, claim 40 recites all of the elements of claims 20 and 72 and therefore the rationale for the rejection of claims 20 and 72 is incorporated herein.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roberta Prendergast whose telephone number is (571) 272-7647. The examiner can normally be reached on M-F 7:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ulka Chauhan can be reached on (571) 272-7782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RP 12/19/2007


ULKA CHAUHAN
SUPERVISORY PATENT EXAMINER